

FILED

MAR 23 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAMAR DASHAN WILLIAMS,

Defendant.

No. ⁴⁻CR-12-70311 MAG (DMR)

DETENTION ORDER

I. DETENTION ORDER

Defendant Lamar Dashan Williams is charged in a criminal complaint with violations of 21 U.S.C. §§ 846 and 841(b)(1)(B)(i) (conspiracy to distribute, and possession with intent to distribute heroin). On March 20, 2012, the United States moved for Mr. Williams' detention and asked for a detention hearing, as permitted by 18 U.S.C. § 3142(f). Pretrial Services prepared a full bail study.

On March 23, 2012, Defendant waived the timing of his right to proffer information in support of his pretrial release, *see* 18 U.S.C. § 3142(f) (a defendant has the right at a section 3142(f) hearing, with the assistance of counsel, to testify, to present witnesses, to cross-examine

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1 adverse witnesses, and to present information by proffer or otherwise), and retained his right to
2 make a proffer at a later proceeding.

3 Based on the information currently available, the court finds clear and convincing
4 evidence that Mr. Williams presents a danger to the community, and that no condition or
5 combination of conditions in 18 U.S.C. § 3142(c) will reasonably assure the safety of any other
6 person or the community. 18 U.S.C. § 3142(e) and (f); *United States v. Motamedi*, 767 F.2d
7 1403, 1406 (9th Cir. 1985).

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9 II. CONCLUSION

10 The Court detains Mr. Williams at this time. Because Defendant waived the timing of his
11 right to present information under 18 U.S.C. § 3142(f) without prejudice, the Court orders that
12 the hearing may be rescheduled at Defendant's request.

13 Defendant shall remain committed to the custody of the Attorney General for
14 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or
15 serving sentences or being held in custody pending appeal. Defendant shall be afforded
16 reasonable opportunity for private consultation with counsel. On order of a court of the United
17 States or on request of an attorney for the Government, the person in charge of the corrections
18 facility in which Defendant is confined shall deliver Defendant to a United States marshal for the
19 purpose of an appearance in connection with a court proceeding.

20 IT IS SO ORDERED.

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23 DATED: March 23, 2012



24 DONNA M. RYU
25 United States Magistrate Judge
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